

I. U. Vitamin B₁ (Thiamine Hydrochloride USP) 2.5 Mg. Vitamin B₂ (Riboflavin USP) 3.33 Mg. Vitamin B₁₂ USP 2 Mcg. Vitamin B₆ (Pyridoxine Hydrochloride) 0.5 Mg. Niacin Amide USP 50 Mg. Calcium Pantothenate 5 Mg. with excipients to properly prepare. * * * Directions: * * * Distributed By The Neuravim Company, Ltd., 8 West 40th St., New York 18, N. Y."

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the article, namely, the box label, the above-mentioned book, the reorder blanks, and the booklets accompanying the article, was false and misleading. This labeling contained statements, which, when taken as a whole, as well as in specific statements and when read in the light of the setting in which it was intended to be read, conveyed to the public a meaning which represented and suggested that the article would build nerve power and that it was an adequate and effective remedy for mental and physical distress, nervous breakdown, torments, personality defects that have destroyed or threaten to destroy capacity to earn a living, inability to cope with modern civilization's drain on nerve power, inability to summon reserve of nerve power to meet great opportunities or sudden emergencies, indecision, inferiority complexes, lack of will power, procrastination, nervousness, timidity, and immaturity; lack of self reliance, self-respect, and self control; poor memory, inability to concentrate, constant tiredness, worry, sexual weakness, and impotency; to prevent high blood pressure, ulceration, asthma, hay fever, acne, eczema, migraine headaches, gallstones, diabetes, colitis, constipation, diarrhea, digestive disorders, most heart diseases, backache, sciatica, rheumatism, arthritis, bursitis, "a long list of female disorders from menstrual disorders to serious conditions requiring hysterectomy," illnesses of germ and virus origin, sixty percent or more of illnesses, nervous breakdown, sleeplessness, fretfulness, loss of appetite, phobias such as fear of the dark or of crossing a bridge, confused thinking, impaired sight, deathlike appearance of the eyes, inability to focus the eyes, dulled hearing and taste senses, fear of insanity, heart palpitation, vertigo, severe depression, and suicidal tendencies; to assure a vigorous old age; to keep glands, organs, and faculties operating efficiently into old age; to supply the various factors contributing to nerve power; and to bridge "the gap which existed in man's conception of the functions of his body and his nervous system." The article would not build nerve power; it was not an adequate and effective treatment for the diseases and conditions stated and implied; and it was not capable of fulfilling the promises of benefit made for it.

DISPOSITION: March 8, 1954. Charles Lee, as licensed trustee in behalf of the estate of Neuravim Co., Ltd., a bankrupt having appeared as claimant and consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be released under bond for relabeling under the supervision of the Food and Drug Administration.

On June 11, 1954, an amended decree was entered which provided that in lieu of the release of the product under bond, the United States marshal should retain custody of the product and permit the claimant to relabel it while in custody.

4494. Misbranding of Immun capsules. U. S. v. 1,000 Bottles, etc. (F. D. C. No. 36192. Sample No. 49655-L.)

LABEL FILED: January 7, 1954, Eastern District of New York.

ALLEGED SHIPMENT: On or about January 10, 1953, from Detroit, Mich.

PRODUCT: 1,000 bottles of *Immun capsules* at Lynbrook, N. Y., in possession of Nu-Health Laboratories, Inc., together with a number of circulars entitled "Immun Capsules with Activator X A New Nutrient Factor" and a number of leaflets entitled "Read How Immun Capsules . . . with . . . Activator X Helped."

RESULTS OF INVESTIGATION: The capsules were shipped in interstate commerce in bulk, and upon receipt by the consignee, were repackaged and relabeled. The above-mentioned circulars and leaflets were printed locally for the consignee.

LABEL, IN PART: (Bottle) "Immun Capsules with the Essential Nutrient Factor Activator X Quantity 100 Capsules * * * Each Capsule Contains: 1700 USP units of Vitamin A 34% minimum daily requirement 170 USP units of Vitamin D 42% minimum daily requirement 222 milligrams of Activator X*
*Activator X is the Nu-Health Laboratories trademark for essential fatty acid fractions which have been found helpful in certain deficient or unbalanced conditions of body metabolism."

NATURE OF CHARGE: Misbranding, Section 502 (a), the label statements "Immun Capsules with the Essential Nutrient Factor Activator X * * * essential fatty acid fractions which have been found helpful in certain deficient or unbalanced conditions of body metabolism" were false and misleading. The statements represented and suggested that the article would be effective in providing the user with immunity from ill-health and disease and that the article would supply essential nutrient factors, in addition to vitamins A and D, which would be effective to treat deficient or unbalanced conditions of body metabolism. The article was not effective for such purposes.

Further misbranding, Section 502 (a), certain statements in the above-mentioned circulars and leaflets accompanying the article were false and misleading. The statements represented and suggested that the article was effective in the prevention and treatment of dental caries, colds, arthritis, joint and muscle stiffness, general debility, loss of appetite, underweight, gastritis, belching, anemia, insomnia, low blood pressure, disturbed vision, painful menses, constipation, general fatigue, cancer, chronic diseases, and bronchial colds, and that the article would provide more effective utilization of all nutritive elements. The article was not effective for such purposes.

The article was misbranded in the above respects while held for sale after shipment in interstate commerce.

DISPOSITION: October 20, 1954. Nu-Health Laboratories, Inc., claimant, having filed an answer and later having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the product be destroyed.

4495. Misbranding of Fisher's Gas-Gon tablets. U. S. v. 20 Cases, etc. (F. D. C. No. 36801. Sample No. 58177-L.)

LABEL FILED: May 21, 1954, Eastern District of Michigan.

ALLEGED SHIPMENT: On or about March 14 and April 13 and 20, 1951, from Bryan, Ohio.

PRODUCT: 20 cases, each containing 12 cartons and each carton containing 12 100-tablet bottles and 100 free sample envelopes, of *Fisher's Gas-Gon tablets* at Detroit, Mich., in possession of the Gas-Gon Products Co. (Fisher's Cut Rate Drugs), together with a number of circulars designated "Wonderful New Gas-Gon Tablets."